

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>ROBERT TWYMAN, JR. (#147435),</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL ACTION NO. 2:06-CV-833-MEF</b>
	)	
<b>ALABAMA DEPARTMENT</b>	)	
<b>OF CORRECTIONS, et al.,</b>	)	
	)	
<b>Respondents.</b>	)	

**RESPONSE TO REQUEST FOR DOCUMENTS**

Come now Respondents Attorney General Troy King, Alabama Department of Corrections, Commissioner Richard F. Allen, Institutional Coordinator James DeLoach, General Counsel Kim Thomas, and Director of Central Records Kathy Holt, by and through undersigned counsel, and submit these responses to Petitioner's request for documents. These Respondents state as follows:

1. Petitioner's Application for Pardon from the Alabama Board of Pardons and Parole (ABPP) and their final decision. *(In 1996 a Ms. Haywood of the Talladega County Probation & Parole Office, applied petitioner for a pardon, before his supervision was transferred to the State of Georgia. The ABPP made a decision in 1999.)*

**RESPONSE:** The Alabama Board of Pardons and Paroles has custody of these documents and not the Alabama Department of Corrections.

2. The ABPP actual document voided it declaration of delinquency, for petitioner in 1998, and the notification of this action to the Alabama Department of Corrections (ALDOC). *(Petitioner has viewed a document of that nature within his institutional file).*

**RESPONSE:** The Alabama Board of Pardons and Paroles has custody of these documents and not the Alabama Department of Corrections

3. The documents pertaining to the parole hearing of petitioner held at the Talladega County Jail on March 9, 2004 and the 13-page recommendation submitted to the ABPP, supposedly prepared March 9, 2004. *(The documents will show when/where/how/the purported "Fugitive warrant" was discovered, along with other questionable facts).*

**RESPONSE:** The Alabama Board of Pardons and Paroles has custody of these documents and not the Alabama Department of Corrections

4. The order/summons/document from the ALDOC to the Talladega County official requesting petitioner to be transferred to Kilby Correctional Facility as a parole violator. (*The female deputy who transported Petitioner stated that, the purposed "fugitive warrant" was used as authorization, this would acknowledge how respondents obtained custody of petitioner*).

**RESPONSE:** See attached.

5. Any/all other tangible objects pertaining to the above requested items.

Respectfully submitted this the 29<sup>th</sup> day of November, 2007.

Kim T. Thomas (THO115)  
Deputy Attorney General  
General Counsel

/s/ Tara S. Knee  
Tara S. Knee (KNE003)  
Assistant Attorney General  
Assistant General Counsel

**OF COUNSEL:**

Alabama Department of Corrections  
Legal Division  
P. O Box 301501  
Montgomery, Alabama 36130  
(334)353-3881  
FAX: (334)353-3891

**CERTIFICATE OF SERVICE**

I hereby certify that on the 29<sup>th</sup> day of November, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following (or by U.S. Mail to the non-CM-ECF participants):

Inmate Robert Twyman, Jr.  
AIS #147435  
Elmore Correctional Facility  
P.O. Box 8  
Elmore, Alabama 35025

/s/ Tara S. Knee  
Tara S. Knee (KNE003)  
Assistant Attorney General  
Assistant General Counsel

## SENDING CONFIRMATION

DATE : FEB-26-2004 THU 10:33  
NAME : DEPT. OF  
TEL : 334-240-9595

PHONE : 812563621841  
PAGES : 5/5  
START TIME : FEB-26 10:30  
ELAPSED TIME : 01'53"  
MODE : ECM  
RESULTS : OK

FIRST PAGE OF RECENT DOCUMENT TRANSMITTED...



JOHN H. LEE  
GOVERNOR

STATE OF ALABAMA  
DEPARTMENT OF CORRECTIONS

DONAL CAMPBELL  
COMMISSIONER

Central Records Office - NCIC Room  
1400 Lloyd Street  
Post Office Box 301501  
Montgomery, Alabama 36130  
334-240-9355  
FAX 334-240-0595

TO: Talladega Parole Office, ATTN: Linda Hill  
CASE: (856) 362-1841 DATE: 02/26/04  
FROM: Archie Adams PAGES: 5  
RE: Twyman, Robert Jr. AFS 147425

☒ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Routine

STATE OF ALABAMA  
DEPARTMENT OF CORRECTIONS

CENTRAL RECORDS DIVISION  
1400 LLOYD STREET  
P.O. BOX 301501  
MONTGOMERY, ALABAMA 36130-1501  
(334) 240-9500

JUN 9, 1998

RE: Joe Kuebler, CA  
Board of Pardons & Paroles  
Fifth Floor East Tower  
2 Martin Luther King Jr. Drive  
Atlanta, GA 30334

RE: THYMON, ROBERT JR.  
DOB: 07/27/56 R/S: B/M AIS #: 00147435

DEAR SIR/MADAM:

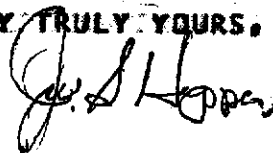
ENCLOSED IS OUR FUGITIVE WARRANT, FINGERPRINTS AND PHOTOGRAPH OF THE ABOVE NAMED PAROLE VIOLATOR. THE STATE BOARD OF PARDONS AND PAROLES HAS CAUSE TO BELIEVE THAT THE ABOVE NAMED PAROLED PRISONER HAS LAPSED, OR IS ABOUT TO LAPSE, INTO CRIMINAL WAYS OR COMPANY, OR HAS VIOLATED CONDITIONS OF HIS PAROLE IN AN IMPORTANT RESPECT ON JUN 5, 1998, AND IS NOW WANTED BY THIS DEPARTMENT. PLEASE USE YOUR WARRANT AS A DETAINER AND ADVISE WHEN THIS SUBJECT WILL BE AVAILABLE FOR OUR AGENTS TO OBTAIN CUSTODY FOR HIS RETURN TO THE ALABAMA PRISON SYSTEM. WE WILL EXTRADITE.

IF OUR FUGITIVE WARRANT IS NOT EXECUTED WITHIN SIXTY (60) DAYS, PLEASE RETURN IT TO THIS OFFICE.

FOR COORDINATION OR INQUIRIES REGARDING THIS CASE, PLEASE CONTACT: DIRECTOR, CRIMINAL RECORDS ADMINISTRATION, AT THE ABOVE ADDRESS OR TELEPHONE NUMBER.

THANKING YOU FOR YOUR COOPERATION IN THIS MATTER OF MUTUAL INTEREST, I AM

VERY TRULY YOURS,



JOE S. HOPPER, COMMISSIONER  
ALABAMA DEPARTMENT OF CORRECTIONS

ENCLOSURES

ALABAMA DEPARTMENT OF CORRECTIONS

SHERIFF'S CERTIFICATE TO ALABAMA DEPARTMENT OF CORRECTIONS UNDER ACT 184,  
ALABAMA STATE LEGISLATURE, SIGNED BY THE GOVERNOR, AUGUST 23, 1976.

TO: DEPARTMENT OF CORRECTIONS OF THE STATE OF ALABAMA.

I HEREBY CERTIFY AS FOLLOWS:

NAME: TWYMON, ROBERT JR. AIN#: 00147435 R/S: B/M DOB: 07/27/56

THE ATTACHED FUGITIVE WARRANT ON THE ABOVE NAMED PAROLE VIOLATOR WAS EXECUTED  
BY THIS OFFICE AS FOLLOWS:

DETACH FROM DEPARTMENT OF CORRECTIONS WARRANT, COMPLETE ALL APPLICABLE ITEMS,  
AND RETURN AT ONCE.

- DATE INCARCERATED IN COUNTY JAIL:
- DATE WARRANT EXECUTED:
- LOCAL CHARGES PENDING: (Y) (N) (CIRCLE ONE IF YES, COMPLETE ITEM #4).
- WARRANTS ATTACHED FOR DETAINER: (Y) (N) (TO BE MAILED) CIRCLE ONE.
- SUBJECT (IS) (IS NOT) READY FOR PICKUP BY DEPARTMENT OF CORRECTIONS AGENTS.
- IF SUBJECT IS NOT READY FOR PICKUP, PLEASE STATE REASON. WHEN SUBJECT IS  
READY FOR PICKUP, NOTIFY THIS OFFICE BY TELEPHONING (334) 240-9500.

DEFENDANT WAS NOT INCARCERATED IN THE COUNTY JAIL UNDER SAID WARRANT FOR ANY  
PERIOD(S) OF TIME OTHER THAN THOSE WHICH ARE SET FORTH ABOVE.

THIS THE DAY OF , 19 .

SIGNATURE:

SHERIFF OF COUNTY, AL.

NOTES:

MAIL ORIGINAL OF THIS FORM AT ONCE TO: DEPARTMENT OF CORRECTIONS, CENTRAL  
RECORDS DIVISION, 1400 LLOYD STREET, P.O. BOX 301501, MONTGOMERY AL 36130-1501.

RETAIN OUR WARRANT IN YOUR FILE AS A DETAINER.

IF SUBJECT ESCAPES FROM YOUR JAIL, IMMEDIATELY NOTIFY STATON COMMUNICATIONS  
CENTER (334) 567-2221 AND THIS OFFICE AT (334) 240-9500 FOLLOWED BY WRITTEN  
CONFIRMATION TO THIS OFFICE.

## SENDING CONFIRMATION

DATE : FEB-25-2004 WED 10:54  
NAME : DEPT. OF  
TEL : 334-240-9595

PHONE : 812567612134  
PAGES : 5/5  
START TIME : FEB-25 10:52  
ELAPSED TIME : 01' 25"  
MODE : ECM  
RESULTS : OK

FIRST PAGE OF RECENT DOCUMENT TRANSMITTED...



BOB RILEY  
COMMISSIONER

STATE OF ALABAMA  
DEPARTMENT OF CORRECTIONS

DONAL CAMPBELL  
COMMISSIONER

Central Records Office - NCIC Room  
1400 Lloyd Street  
Post Office Box 301501  
Montgomery, Alabama 36150  
334-240-9555  
FAX 334-240-0595

TO: Tallapoosa County, Ga. ATTN: 5  
FAX: 706-271-2124 DATE: 02/25/04  
FROM: Archie A. Adams PAGES: 5  
RE: Tony Adams, Robert W. Adams 47485  
☐ Encl. ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Routine



STATE OF ALABAMA  
DEPARTMENT OF CORRECTIONS

BOB RILEY  
GOVERNOR

DONAL CAMPBELL  
COMMISSIONER

Central Records Office / NCIC Room  
1400 Lloyd Street  
Post Office Box 301501  
Montgomery, Alabama 36130  
334-240-9555  
FAX 334-240-9595

TO: Talladega County Jail ATTN: Joe  
FAX#: (256) 761-2134 DATE: 02/25/04  
FROM: Aurelia Adams PAGES: 5  
RE: Twymon, Robert Jr. AFS-147435

☒ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Routine



STATE OF ALABAMA  
BOARD OF PARDONS AND PAROLES  
Montgomery, Alabama

6/5/98

AUTHORIZATION TO ISSUE WARRANT FOR PAROLED PRISONER

TO: The Department of Corrections  
Director, Inmate Records

Re: Name ROBERT TWYMON JR

AIS# 147,435

SEND WARRANT TO: JOE KUEBLER, CA

BOARD OF PARDONS AND PAROLES

FIFTH FLOOR, EAST TOWER

2 MARTIN LUTHER KING JR DRIVE

ATLANTA GA 30334

Having reasonable cause to believe that the above-named paroled prisoner has lapsed or is about to lapse into criminal ways or company, or has violated the conditions of his parole in an important respect,

YOU ARE, THEREFORE, DIRECTED PURSUANT TO TITLE 15, SECTION 22, CODE OF ALABAMA 1975, TO ISSUE A WARRANT FOR THE RETAKING OF SAID PAROLED PRISONER AND RETURN HIM TO PRISON PENDING A REVOCATION HEARING.

You are further directed to notify this office of the return of the aforementioned paroled prisoner.

STATE BOARD OF PARDONS AND PAROLES

BY: William C. Gandy  
Executive Director

Distribution:  
Field Office- GEORGIA  
DOC  
Board File



**BOB RILEY**  
GOVERNOR

**STATE OF ALABAMA**  
**DEPARTMENT OF CORRECTIONS**

**DONAL CAMPBELL**  
COMMISSIONER

February 25, 2004

Talladega County Jail  
150 E Renfroe St.  
Talladega, AL 35161

**RE: Twymon, Robert Jr**  
**AIS#: 147435 R/S: B/M**  
**DOB: 07/27/1956**

Dear Sir or Madam:

Enclosed is our Fugitive Warrant on the above named subject, who is wanted by this department for Parole Violation.

Please use our warrant as a detainer and notify this office at (334) 240-9556 or (334) 240-9500 at least thirty (30) days before the date of release. Also, please hold this subject without bond. We will extradite.

Thank you for your help and cooperation in this matter.

Very truly yours,

A handwritten signature in cursive script that reads "Donal Campbell".

**Donal Campbell**  
COMMISSIONER